

1 MELANIE D. MORGAN, ESQ.
2 Nevada Bar No. 8215
3 SCOTT R. LACHMAN, ESQ.
4 Nevada Bar No. 12016
5 **AKERMAN LLP**
6 1635 Village Center Circle, Suite 200
7 Las Vegas, NV 89134
8 Telephone: (702) 634-5000
9 Facsimile: (702) 380-8572
10 Email: melanie.morgan@akerman.com
11 Email: scott.lachman@akerman.com

12 *Attorneys for Plaintiffs Ditech Financial
13 LLC and Federal National Mortgage
14 Association*

15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 DITECH FINANCIAL LLC; FEDERAL
18 NATIONAL MORTGAGE ASSOCIATION,

19 Case No.: 2:16-cv-02636-APG-DJA

20 Plaintiff,

21 v.
22 WOODCREST HOMEOWNERS
23 ASSOCIATION; ABACUS 8, LLC; and
24 ABSOLUTE COLLECTION SERVICES, LLC,
25 Defendants.

26 **STIPULATION TO STAY DEADLINE TO
27 RESPOND TO WOODCREST
28 HOMEOWNERS ASSOCIATION'S
MOTION FOR SUMMARY JUDGMENT
(SECOND REQUEST)**

29 **ORDER**

30 Ditech Financial LLC, Federal National Mortgage Association (**Fannie Mae**), and
31 Woodcrest Homeowners Association (the **HOA**) stipulate to extend the deadline for Ditech and
32 Fannie Mae to respond to the HOA's motion for summary judgment, ECF No. 50, and request to stay
33 briefing on the HOA's motion until this court adjudicates Ditech and Fannie Mae's motion for
34 summary judgment based on the Federal Foreclosure Bar, ECF No. 40.

35 Ditech and Fannie Mae's opposition to the HOA's motion is presently due on Friday, June 5,
36 2020. (ECF No. 52.). The parties to this stipulation agree to extend the deadline to ten (10) days
37 after this court adjudicates ECF No. 40 for three reasons: (1) should this court grant Ditech and
38 Fannie Mae's motion for summary judgment based on the Federal Foreclosure Bar (ECF No. 40),
then the claims against the HOA are moot; (2) the parties continue to discuss settlement and would

1 like an opportunity to potentially reach settlement before spending fees on further briefing, and (3)
 2 staying briefing may give the Nevada Supreme Court and Ninth Circuit additional time to publish
 3 case authority regarding alternative claims against homeowner associations and the limitation
 4 periods associated with those claims. To the extent this court does not stay briefing, the parties to
 5 this stipulation agree to extend the deadline to respond to the HOA's motion by thirty (30) days, to
 6 Monday, July 6, 2020.

7 This is the second request to extend this deadline. This stipulation is brought in good faith
 8 and not for purposes of delay.

9 DATED this 5th day of June, 2020.

<p>AKERMAN LLP</p> <p><i>/s/ Scott R. Lachman</i></p> <p>MELANIE D. MORGAN, ESQ. Nevada Bar No. 8215 SCOTT R. LACHMAN, ESQ. Nevada Bar No. 12016 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134</p> <p><i>Attorneys for Ditech Financial LLC and Federal National Mortgage Association</i></p>	<p>LIPSON NEILSON, P.C.</p> <p><i>/s/ Amber M. Williams</i></p> <p>J. WILLIAM EBERT, ESQ. Nevada Bar No. 2697 AMBER M. WILLIAMS, ESQ. Nevada Bar No. 12301 9900 Covington Cross Drive, Suite 120 Las Vegas, Nevada 89144</p> <p><i>Attorneys for Woodcrest Homeowners Association</i></p>
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19 **ORDER**

20 IT IS SO ORDERED.

21 Dated: June 8, 2020.



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 23 UNITED STATES DISTRICT JUDGE
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